

REMARKS/ARGUMENTS

Favorable reconsideration of this application is respectfully requested.

Initially, applicants note an Information Disclosure Statement (IDS) was filed with the original application papers on May 24, 2001. At this time applicants have not received confirmation of consideration of the references cited in that IDS. Applicants request confirmation of consideration of those filed references, by returning to applicant initialed forms PTO-1449 acknowledging consideration of the references cited. For convenience a copy of the filed IDS and its date-stamped filing receipt are attached hereto.

Claims 41-80 are pending in this application. Claims 1-40 are canceled by the present response without prejudice and new claims 41-80 are presented for examination. Claims 1, 2, 4, 6-22, 24, and 26-40 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. patent 6,678,827 to Rothermel et al. (herein "Rothermel"). Claims 3, 5, 23, and 25 were rejected under 35 U.S.C. § 103(a) as unpatentable over Rothermel and further in view of Official Notice.

Addressing the above-noted rejections, those rejections are traversed by the present response. New claims 41-80 are similar to original claims 1-40 respectively, but new claims 41-80 are written to make certain clarifications. Specifically, new independent claim 1 clarifies how a level of security of the computer network connection is determined. Specifically, new independent claim 41 clarifies that a level of security of a computer network connection is determined "based on determining a communication protocol of the computer network connection to connect the computing device to the intermediate device". The other new independent claims recite a similar feature. As shown in Figure 1A in the present specification as a non-limiting example, different computing devices 2, 6 can be connected to an intermediate device 10. The claimed invention has as an operation to control the access of those computing devices 2, 6 to resources on the network 12A based on how the

computing devices 2, 6 connects to the intermediate device 10. With reference to Figure 2A in the present specification as a non-limiting example, if either of the computing devices 2, 6 connect to the intermediate device 10 through an encrypted connection, driver 54 is activated and a firewall setting for level 1 access is provided. In that case a high level of access to various network resources can be provided.¹ Alternatively, if no encryption is utilized for the connection between either of the computing devices 2, 6 and the intermediate device 10, the driver 56 is activated and a firewall setting for level 2 access is utilized. In that case a user may only have a limited access to resources on the network.²

In such ways, in the claimed invention, a security level of a network connection between the computing device and the intermediate device can control the level of network resources available to the computing device. Such features clarified in the claims are believed to clearly distinguish over the applied art.

With respect to the feature of determining a level of security of the computer network connection the outstanding rejection cites Rothermel at column 6, lines 21-32 and at column 13, lines 3-7.³ Further, certain of the dependent claims, for example dependent claim 44, specifically indicates that the determination in the security level of the communication network is whether it is an encrypted network or not. That feature is believed to even further distinguish over the applied art. With respect to the features of the specific embodiment noted above as to determining a level of access to the network resources based on whether the network connection is an encrypted connection or not, the outstanding rejection cites Rothermel at column 14, lines 26-30 and column 17, lines 34-38. However, applicants respectfully submit that the noted teachings in Rothermel do not meet the claim limitations.

¹ See for example the present specification at page 6, lines 10-15.

² See for example the present specification at page 6, lines 15-26.

³ Office Action of December 21, 2004, page 3, lines 1-2 after the heading.

First, at column 6, lines 21-32 Rothermel merely discloses that different devices can be connected with different security levels. In that portion Rothermel does not disclose or suggest that the level of the network connection, i.e. communication protocol, between the computing device and the intermediate device, e.g. whether it is an encrypted connection, will control the level of access of the computing device to the network resources.

Further, at column 13, lines 3-7 Rothermel merely discloses determining a level of security for incoming and outgoing sessions using proxy services. However, at that portion Rothermel does not disclose or suggest that the level of the network connection, i.e. communication protocol, between the computing device and intermediate devices, e.g. whether it is an encrypted connection, will control how much access to the network resources the computing device has.

Further, at column 14, lines 26-30 Rothermel merely discloses that information can be encrypted prior to transmitting. However, Rothermel in that aspect does not disclose or suggest that how, i.e. communication protocol, a computing device and an intermediate device are connected to a communication network, e.g. by an encrypted connection, will determine the access to the network resources by the computing device.

Further, at column 17, lines 34-38 Rothermel merely discloses a sub-routine to determine what access information is required for a message as well as any information needed to decrypt the message if it is encrypted. However, again at that portion Rothermel does not disclose the claimed features directed to determining a communication protocol of a computer network connection between a computing device and an intermediate device, e.g. whether it is an encrypted connection, and thereby controlling a level of access of the computing device to the network resources based on that determination of the connection protocol of the computing device connected to the intermediate device.

Thereby, applicants respectfully submit Rothermel does not disclose the features now clarified in the claims.

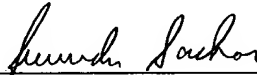
Moreover, with respect to the further rejections based on the Official Notice, applicants traverse that position and first note that no Official Notice was cited with respect to the above-noted deficiencies in Rothermel. Further, applicants traverse that Official Notice and require the prior art be cited for the positions for which Official Notice was taken.

In view of these foregoing comments, applicants respectfully submit that each of the claims as currently written is allowable over the applied art.

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

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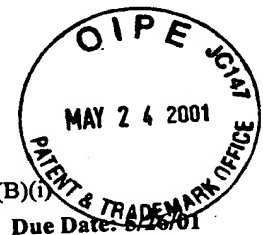
Serial No. New Application

In the matter of the Application of: Shingo YAMAGUCHI

For: METHOD AND SYSTEM FOR CONTROLLING ACCESS TO NETWORK
RESOURCES BASED ON CONNECTION SECURITY

The following has been received in the U.S. Patent Office on the date stamped hereon:

- ☒ 19 pp. Specification 40 Claims/Drawings 6 Sheets
and 1 pages Application Data Sheet
 - ☒ Combined Declaration, Petition & Power of Attorney 2 pages
 - ☐ List of Inventor Names and Addresses
 - ☒ Utility Patent Application Transmittal
 - ☐ Notice of Priority
 - ☒ Check for \$1,110.00
 - ☒ Fee Transmittal Form
 - ☒ Assignment/PTO 1595 pages: 3
 - ☐ Letter to Official Draftsman
 - ☐ Letter Requesting Approval of Drawing Changes
 - ☐ Drawings sheets ☐ Formal
 - ☐ Cover Letter
 - ☐ Amendment with Marked-Up Copy
 - ☒ Information Disclosure Statement
 - ☒ Cited References (10)
 - ☐ Search Report
 - ☐ Statement of Relevancy
 - ☐ IDS/Related/List of Related Cases
 - ☐ Restriction Response
 - ☐ Rule 132 Declaration
 - ☐ Petition for Extension of Time
 - ☐ Notice of Appeal
 - ☐ Brief
 - ☐ Issue Fee Transmittal
 - ☒ White Advance Serial Number Card
 - ☐ Small Entity Status is Claimed
 - ☒ Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(i)
 - ☐
- ☐ CPA
☐ Priority Doc
☒ Dep. Acct. Order Form
- ☒ PTO-1449
- ☐ Cited Pending Applications
☐ Election Response



Due Date: 5/26/01

Docket No. 203223US28



COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Shingo YAMAGUCHI

SERIAL NO: New Application

GAU:

FILED: Herewith

EXAMINER:

FOR: METHOD AND SYSTEM OF CONTROLLING ACCESS TO NETWORK RESOURCES BASED ON CONNECTION SECURITY

INFORMATION DISCLOSURE/RELATED CASE STATEMENT UNDER 37 CFR 1.97

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Applicant(s) wish to disclose the following information.

REFERENCES

- ☒ The applicant(s) wish to make of record the references listed on the attached form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- ☐ A check is attached in the amount required under 37 CFR §1.17(p).

RELATED CASES

- ☐ Attached is a list of applicant's pending application(s) or issued patent(s) which may be related to the present application. A copy of the patent(s), together with a copy of the claims and drawings of the pending application(s) is attached along with PTO 1449.
- ☐ A check is attached in the amount required under 37 CFR §1.17(p).

CERTIFICATION

- ☐ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

DEPOSIT ACCOUNT

- ☒ Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



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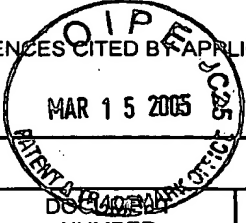
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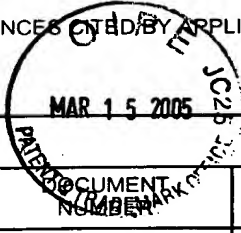
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SHEET 1 OF 2

Form PTO 1449 (Modified)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DOCKET NO. 203223US28		SERIAL NO. New Application	
LIST OF REFERENCES CITED BY APPLICANT <div style="text-align: center;">  </div>				APPLICANT Shingo YAMAGUCHI			
				FILING DATE Herewith		GROUP	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE	
	AA	5,636,220	6/3/97	VOOK et al.			
	AB	6,148,344	11/14/00	DEPENG, Bi			
	AC	6,167,514	12/26/00	MATSUI et al.			
	AD						
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FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION YES NO		
	AO						
	AP						
	AQ						
	AR						
	AS						
	AT						
	AU						
	AV						
OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)							
	AW	SonicWALL XPRS ² Internet Security Appliance, Product Description, printed April, 2001					
	AX	D-Link DI-711 Wireless Home DSL/Cable Router, Product Description, printed April, 2001					
	AY	SMC Barricade Wireless Broadband Router, User Guide, printed April, 2001					
	AZ	D-Link DI-711, http://www.dlink.com/products/broadband/di711/ , Product Description, printed April 3, 2001					
Examiner					Date Considered		
*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

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SHEET 2 OF 2

Form PTO 1449 (Modified)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DOCKET NO. 203223US28		SERIAL NO. New Application	
LIST OF REFERENCES CITED BY APPLICANT				APPLICANT Shingo YAMAGUCHI			
				FILING DATE Herewith		GROUP	
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U.S. PATENT DOCUMENTS							
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	AO						
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	AQ						
	AR						
	AS						
	AT						
	AU						
	AV						
OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)							
	AW	SMC Barricade, http://www.smc.com/barricade/specs_wrlsrouter.html , Overview Barricade 11 Mbps Wireless Broadband Router, printed April 3, 2001					
	AX	SMC Barricade, http://www.smc.com/barricade/specs_wrlsrouter_02.html , Technical Specs Barricade 11 Mbps Wireless Broadband Router, printed April 3, 2001					
	AY	Cabletron Systems, Inc., RoamAbout 802.11 Wireless Networking Guide, October 1999					
	AZ						
Examiner					Date Considered		

*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.